

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 4-8 and 10-27 are pending in the present application. Claims 1 and 14 have been amended by the present amendment. Claims 1 and 14 are independent.

In the outstanding Office Action, claims 1, 4-8 and 10-27 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lamkin (U.S. Patent Pub. No. 2002/0078144) in view of Briscoe (U.S. Patent No. 7,216,149).

Applicant acknowledges with appreciation the telephone interview between the Examiner, the Examiner's supervisor and Applicant's representative on October 7, 2010. During the interview, the Examiners agreed that that Lamkin and Briscoe each fail to disclose the following features from the specification: "File(s) Attribute' field for File#2 includes the information that 'Type=Non_Square' indicating the image type and 'Ratio=16:9' indicating the aspect ratio and the 'File(s) Attribute' field for File#3 includes the information that 'Type=Square' and 'Ratio=4:3'." The Examiners agreed that the current amendment to the independent claims would clarify this feature and would distinguish the claims from the applied art, especially the cited height/width features of Briscoe column 7, lines 39-50.

In Applicant's amendment of August 13, 2010, claims 1, 4, 13-23, 26 and 27 were amended to more clearly describe and distinctly claim Applicant's invention. In the current amendment, claims 1 and 14 are further amended as suggested by the Examiners on October 7, 2010. Support for this amendment is found in Applicant's originally filed specification. No new matter is added.

Briefly recapitulating, amended claim 1 is directed to

A method of reproducing auxiliary contents data in a recording medium player, the method comprising:

receiving, by the recording medium player and *from an external server, playback control information for the auxiliary contents data*, the auxiliary contents data related to audio/video (A/V) recorded on a recording medium, the playback control information including

address information for indicating a location of the auxiliary contents data, and

attribute information, the attribute information including separate values for indicating an image type and an aspect ratio of the auxiliary contents data, the image type being one of "square" and "non-square" and the aspect ratio being one of 4:3 and 16:9;

storing, by the recording medium player, the playback control information in one region among at least two logically divided regions of a buffer memory;

checking, by the recording medium player, the attribute information stored in the one region of the buffer memory to determine a presentation method for the auxiliary contents data; and

presenting, by the recording medium player, the auxiliary contents data according to the determined presentation method,

wherein the step of presenting includes outputting the auxiliary contents data in conjunction with the A/V data reproduced from the recording medium using the image type and the aspect ratio included in the playback control information.

Lamkin describes a method for integrating playback of disparate media sources in a device. However, as acknowledged in the Official Action, Lamkin does not disclose or suggest Applicant's previously claimed address information and attribute information. To cure this deficiency, the Official Action applies Briscoe.

Briscoe describe client-server operations, including the following attributes for an IMG tag: WIDTH, HEIGHT which are attributes for specifying the size of the image so that the HTML page can be loaded more quickly; and BORDER which is an attribute for specifying the

thickness of the border, if any. BORDER=0 omits the border that a browser would otherwise place automatically around an image. However, as agreed during the interview of October 7, 2010, the width/height features of Briscoe are not equivalent to “separate” values for indicating an image type and an aspect ratio of the auxiliary contents data, the image type being one of “square” and “non-square” and the aspect ratio being one of 4:3 and 16:9.” With Applicant’s claimed feature, a device does not have to calculate an image size or aspect ratio for presentation, thus increasing device response speed and improving computational efficiency.

As none of the cited art, individually or in combination, disclose or suggest at least the above-noted features of independent claims 1 and 14, Applicant submits the inventions defined by claims 1 and 14, and all claims depending therefrom, are not rendered obvious by the asserted references for at least the reasons stated above.

MPEP 2141 notes that prior art is not limited just to the references being applied, but includes the understanding of one of ordinary skill in the art. MPEP 2141 further notes that the prior art reference (or references when combined) need not teach or suggest all the claim limitations. However, an obviousness-type rejection must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. MPEP 2141 goes on to list exemplary rationales that may support a conclusion of obviousness. However, Applicant submits that the Official Action and the applied references present no objective evidence that would support an obviousness-type rejection of Applicant’s amended claims based on one of these exemplary rationales.


CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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